

Defendant.

OPINION & ORDER  
[Resolving Doc. Nos. [1](#), [19](#)]

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of the Report to which an objection has been made. *See* [28 U.S.C. § 636\(b\)\(1\)](#).

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Any objections must be filed with the Clerk of Court within ten days of the report's issuance. Id. Parties waive their right to appeal the Recommendation if they fail to object within the time allowed. *See, e.g., Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

Absent objection, a district court may adopt the Magistrate's Report without review. Thomas, 474 U.S. at 149. Moreover, having conducted its own review of the parties' briefs in the case, this Court agrees with the conclusions of Magistrate Judge Limbert and adopts the Report and Recommendation as its own. Accordingly, the Court incorporates the Magistrate Judge's findings of fact and conclusions of law fully herein by reference and dismisses the Plaintiff's claims. [Doc. 19.]

For the reasons discussed above, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge and **DISMISSES** the Plaintiff's claims.

IT IS SO ORDERED.

Dated: March 5, 2008

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE